



# Maine Human Rights Commission

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EXECUTIVE DIRECTOR

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## COMMISSION MEETING MINUTES September 23rd, 2024, MEETING

*Held in Hybrid Format - In Person (19 Union Street, Augusta, Maine) and via ZOOM*

Commissioner David chaired the meeting and called it to order at 8:30 AM. Also present were Commissioners Sanders, Douglas, Walker and O'Brien.

### AGENDA

Commissioner Douglas moved, seconded by Commissioner Sanders to adopt the Agenda and Consent Agenda to accept the Investigator's recommended decision in each of the cases listed on the Consent Agenda (see listing on page 3). 5 in favor | 0 opposed.

### MINUTES

Commissioner Douglas moved, seconded by Commissioner Walker, to adopt the August Commission Meeting Minutes. 5 in favor | 0 opposed.

### ADMINISTRATION

Monthly reports: Executive Director Thomson Crossman discussed reporting on the following Commission activities:

- Personnel: A report was placed on file.
- Compliance: Since the last meeting, there were 2 unsuccessful conciliations and 0 successful conciliations, with 2 reasonable-grounds cases remaining in active conciliation.  
Commissioner Douglas moved, seconded by Commissioner Walker to dismiss H/ED/PA21-0319, *Fagan v. Trustees of St. Joseph's College*, since Respondent has fully complied with the terms of the settlement agreement. 5 in favor | 0 opposed.
- 56 New Charges: 56 new complaints filed in August.
- Withdrawals and dismissals: 28 issued in August, including 4 administrative dismissals, 1 right-to-sue letters, and 23 settlements (21 private settlements and 2 settlements through the MHRC's mediation program) with a total of \$107,500 to Complainants.

### New Business:

At approximately 8:45 A.M. Commissioner David began the Morning Session Hearing Agenda.

### CASES VOTED ON IN A.M. SESSION

PA22-0308 *Doreen Stone (West Kennebunk) v. The Garage BBQ (Scarborough)*. Attorney Kristin Aiello presented Complainant's position. Attorney Emily Arvizu presented Respondent's position. Lead Investigator Jane O'Reilly reviewed her report and recommendations and answered Commissioner questions.

Commissioner Sanders moved, seconded by Commissioner O'Brien, to find there are No Reasonable Grounds to believe that The Garage BBQ discriminated against Doreen Stone on the basis of disability; and the complaint should be dismissed in accordance with 5M.R.S. § 4612(2). 1 in favor | 4 opposed (David, O'Brien, Douglas, and Sanders opposed).

Commissioner David moved, seconded by Commissioner Douglas, to find there are **Reasonable Grounds** to believe that The Garage BBQ discriminated against Doreen Stone on the basis of disability, and conciliation should be attempted in accordance with 5M.R.S. § 4612(3). 4 in favor | 1 opposed (Walker opposed).

E22-0336 *Sofien Ghanmi (Steuben) v. Walmart, Inc. (Lamoine)*. Complainant presented his position. Attorney Timothy Powell presented Respondent's position. Investigator Nupur Leva reviewed her report and recommendations and answered Commissioner questions. Commissioner O'Brien moved, seconded by Commissioner Walker, to find there are No Reasonable Grounds to believe that Walmart, Inc. discriminated against Sofien Ghanmi on the basis of national origin or religion and No Reasonable Grounds to believe that Walmart, Inc. retaliated against Sofien Ghanmi for engaging in MHRA- and/or WPA-protected activity, and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2). 5 in favor | 0 opposed.

E23-0031 *Kary Haley (Bath) v. MaineHealth (Portland)*. Complainant presented her position. Attorney Tara Walker presented Respondent's position. Lead Investigator Jane O'Reilly reviewed Investigator Morse's report and recommendations and answered Commissioner questions. Commissioner Sanders moved, seconded by Commissioner David, to find there are No Reasonable Grounds to believe that MaineHealth discriminated against Karey Haley on the basis of sex and/or religion, No Reasonable Grounds to believe that MaineHealth discriminated against Karey Haley on the basis of disability, No Reasonable Grounds to believe that MaineHealth retaliated against Karey Haley for engaging in MHRA- and/or WPA-protected activity, and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2) . 5 in favor | 0 opposed.

E23-0150 *Cathlene Fraser (Bangor) v. Acadia Hospital Corp. d/b/a Northern Light Acadia Hospital (Bangor)*. Complainant presented her position. Attorney Megan Randlett presented Respondent's position. Investigator Alex Brindley reviewed their report and recommendations and answered Commissioner questions. Commissioner Douglas moved, seconded by Commissioner Walker, to find there are No Reasonable Grounds to believe that Acadia Hospital Corp. d/b/a Northern Light Acadia Hospital discriminated against Cathlene Fraser on the basis of age, and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2). 5 in favor | 0 opposed.

E23-0182 *Ursula Scott (Jacksonville, FL) v. GreenPages Technology (Kittery, ME)*. Complainant presented her position. Attorney Glenn Israel presented Respondent's position. Lead Investigator Jane O'Reilly reviewed her report and recommendations and answered Commissioner questions.

Commissioner O'Brien moved, seconded by Commissioner Walker, to find there are No Reasonable Grounds to believe that GreenPages Technology discriminated against Ursula Scott on the basis of race, and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2). 1 in favor | 4 opposed (David, Walker, Douglas, and Sanders opposed).

Commissioner Douglas moved, seconded by Commissioners Sanders and David, to find there are **Reasonable Grounds** to believe that GreenPages Technology discriminated against Ursula Scott on the basis of race, and conciliation should be attempted in accordance with 5M.R.S. § 4612(3).4 in favor | 1 opposed (O'Brien opposed).

H24-0155-A-B\* *Michelle Louanis (Portland) v. Franco Properties LLC (Portland), Frank Reali (Portland)*. Complainant presented her position. Attorney Mark Franco presented Respondent's position. Investigator Alex Brindley reviewed their report and recommendations and answered Commissioner questions. Commissioner David moved, seconded by

\* Indicates a case in which a "reasonable grounds" finding is recommended

Commissioner O'Brien, to find there are **Reasonable Grounds** to believe that Frank Reali and Franco Properties LLC discriminated against Michelle Louanis on the basis of disability (assistance animals), **Reasonable Grounds** to believe that Frank Reali and Franco Properties LLC discriminated against Michelle Louanis on the basis of disability (denial of reasonable accommodation), and conciliation should be attempted in accordance with 5 M.R.S. § 4612(3). 5 in favor | 0 opposed.

### **EXECUTIVE SESSION**

At approximately 1:24 P.M., Commissioner Douglas moved, seconded by Commissioner Walker, to go into executive session to discuss pending or contemplated litigation and the Commission's legal rights and duties with Commission Counsel pursuant 1 M.R.S. §405(6)(E). 5 in favor | 0 opposed.

At approximately 1:53 P.M., Commissioner Douglas moved, seconded by Commissioner Walker, to come out of Executive Session. 5 in favor | 0 opposed.

Commissioner Douglas moved, seconded by Commissioner Walker, not to litigate E22-0139, *Halliday v. Connectivity Point Design & Installation*, or E22-0206-A, *Goodwin v. Beckert*. 5 in favor | 0 opposed.

At approximately 1:54 P.M. the meeting was adjourned.

### **CONSENT AGENDA**

The consent agenda is a listing of cases scheduled on the Commission's meeting agenda in which there was no written disagreement to the Investigator's recommendation. Commissioners considered these cases without oral argument by the parties.

ED22-0400AB	<i>Elizabeth Leibiger (Falmouth) v. University of Southern Maine (Portland) v. Christy Hammer</i>	NRG
E23-0100	<i>Eric Harthan (Brunswick) v. St. Mary's Hospital (Lewiston)</i>	NRG
E23-0105	<i>Alexis Reynolds (Oxford) v. The Progress Center, Inc. (Oxford)</i>	NRG
PA23-0115	<i>Rodney Corbeil (Sabattus) v. Alford Center for Health / MaineGeneral Health (Augusta)</i>	NRG
E23-0303	<i>Gene Casey (Mexico) v. ND Paper, Inc. (Rumford)</i>	NRG
H24-0125ABCDE	<i>Kristen Hendry (Ellsworth) v. Applegate Limited Partnership (Portland)/Suzanne Perry/ Sterling Management, Inc./Patricia Quinn/David J. Van Baars, Esq. (Lisbon Falls)</i>	NRG
H24-0133AB	<i>Me El Mar Jackson (North Monmouth) and Erin Philbrook (North Monmouth) v. Chris Branagan (North Monmouth)/Jelly Stone Campground (North Monmouth)</i>	NRG

### **TABLED**

\* Indicates a case in which a "reasonable grounds" finding is recommended